

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

IN RE: JOSEPH MARION HEAD, JR.,)	
Movant.)	M.B.D. No. 05-10281-RGS
)	
)	

MEMORANDUM AND ORDER

January 4, 2008

STEARNS, D.J.

For the reasons set forth below, and in accordance with this Court's Orders dated December 8, 2004 and August 3, 2005, the clerk will be directed not to enter on the docket those documents that are now before the Court.

DISCUSSION

In 2003, Joseph Marion Head, Jr., was civilly committed to FMC Devens pursuant to 18 U.S.C. § 4245 (hospitalization for an imprisoned person suffering from mental disease or defect). Because of his repetitive filing of frivolous pleadings, he was enjoined from filing any additional pleadings in this Court without first obtaining prior judicial approval. See 12/8/04 Memorandum and Order, Head v. Winn, C.A. No. 04-40084-RGS. The December 2004 Order required that any written petition seeking leave to file additional papers contain (1) a copy of the December 8th Memorandum and Order; and (2) a certification under oath that there was a good faith basis for their filing. Id.

By Memorandum and Order dated August 3, 2005, Joseph Marion Head Jr. was advised that he continues to be enjoined from filing absent leave of Court and that documents failing to comply with this Court's previously imposed filing conditions shall

be reviewed to determine whether Head has set forth any non-frivolous cognizable claims. See 8/3/05 Order, Docket No. 20.

By Order dated November 21, 2006, the clerk was directed not to docket more than thirty (30) documents that were submitted for filing between November 2005 and October 2006 because they fail to comply with the filing requirements and fail to present any new, non-frivolous legal claims. See 12/21/06 Order, Docket No. 21.

Now before the Court are more than one dozen new documents submitted by Head. These documents clearly fail to comply with the filing requirements set forth in the Court's 12/8/04 Order. Moreover, the documents are not lucid, and to the extent they are, Head continues to seek his release from confinement. Because these documents fail to present any new, non-frivolous legal claims, they will not be entered on the docket and acted upon.

ORDER

Because Joseph Marion Head, Jr., has failed to comply with the filing requirements set forth in this Court's 12/8/04 Order, and because the subsequent filings fail to present any new, non-frivolous legal claims, it is hereby ORDERED that the clerk is directed not to docket these pleadings.

SO ORDERED.

/s/ Richard G. Stearns
UNITED STATES DISTRICT JUDGE